



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,246	08/15/2000	Dominique Hamery	11345.021001	9687

22511 7590 12/03/2003

ROSENTHAL & OSHA L.L.P.
1221 MCKINNEY AVENUE
SUITE 2800
HOUSTON, TX 77010

EXAMINER

COUSO, JOSE L

ART UNIT	PAPER NUMBER
----------	--------------

2621

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/622,246

Applicant(s)

HAMERY, DOMINIQUE

Examiner

Jose L. Couso

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,9,10,13-16 and 19-38 is/are pending in the application.
- 4a) Of the above claim(s) 23 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 and 5 is/are allowed.
- 6) ☒ Claim(s) 1,3,7,9,10,13-16,19-22 and 24-38 is/are rejected.
- 7) ☒ Claim(s) 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2621

1. Claim 23 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim 23 depends from cancelled claim 8.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 3, 9-10, 13-16, 19, 21-22 and 24-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Kennedy, Jr. et al. (U.S. Patent No. 5,633,654).

With regard to claim 1, Kennedy describes a decoder for a digital audiovisual transmission system (refer for example to column 6, lines 33-35); which includes a processor for decompressing and displaying compressed still picture data (see figure 1, elements 110 and refer for example to column 4, lines 5-15); a memory comprising a storage memory for receiving from the processor decompressed data representing a plurality of still picture images and for indefinitely storing the received decompressed data (see figure 1, element 112 and refer for example to column 3, lines 66-67), and at least one display memory adapted to hold contemporaneously data representing multiple still picture images readable by the processor prior to display (see figure 1, element 120 and refer for example to column 4, lines 36-49), the data representing the

Art Unit: 2621

plurality of still picture images being copied from the storage memory to the display memory for subsequent display (refer for example to column 4, lines 50-59). Kennedy describes that the digital picture image is a full frame, a frame in a video corresponds to applicant's "still picture".

In regard to claims 3 and 27, Kennedy describes the processor is adapted to process image data in the display memory as one layer amongst a plurality of layers of superimposed one over the other when displayed (refer for example to column 13, lines 21-42).

In regard to claims 9 and 33, Kennedy describes further comprising buffer memory means for storing compressed digital picture data prior to decompression by the processor (refer for example to column 14, lines 22-32).

With regard to claims 10 and 34, Kennedy describes the buffer means comprises a plurality of buffer memory elements (as described in column 9, lines 19-21).

In regard to claims 13 and 37, Kennedy describes the processor is adapted to decompress picture data sent in a compression standard that uses a colour look-up table (refer for example to column 5, lines 2-6, the subsampled YUV bitmaps correspond to the look-up tables).

With regard to claims 14 and 38, Kennedy describes the processor is adapted to decompress picture data sent in a compression standard that uses a red/blue/green colour value associated with each pixel (refer for example to column 10, lines 17-19).

Art Unit: 2621

As to claim 15, Kennedy describes the processor comprises a general processor for decompressing digital picture data and a graphic processor for preparing the decompressed data for display (refer for example to column 4, lines 50-59).

In regard to claim 16, Kennedy describes a decoder for a digital audiovisual transmission system (refer for example to column 6, lines 33-35); which comprises a processor for decompressing and displaying compressed still picture data (see figure 1, elements 110 and 112, and refer for example to column 4, lines 5-12); wherein the decompressed digital image data representing a plurality of still picture images received from the processor is transmitted to a storage memory for indefinite storing therein and from which decompressed digital image data is copied to a display memory which holds contemporaneously data representing the multiple still picture images, the data being read by the processor for subsequent display of such multiple picture images (see figure 1, elements 112 and 120, and refer for example to column 3, lines 66-67, and column 4, lines 5-15 and 36-59). Kennedy describes that the digital picture image is a full frame, a frame in a video corresponds to applicant's "still picture".

In regard to claims 19 and 26, Kennedy describes wherein the display memory is configured to hold digital image data representing the plurality of still pictures that have been modified or duplicated during copying (see figure 6, elements 614 and 616 and refer for example to column 13, lines 9-42).

As to claim 21, Kennedy describes wherein the display memory is configured to hold partial image data copied from the storage so as to permit display of part of an image (refer for example to column 13, lines 4-8).

Art Unit: 2621

With regard to claim 22, Kennedy describes a high level application running on the processor running on the processor for controlling the copying of image data from the storage memory into a first or second display memory (refer for example to column 6, lines 36-48 and column 14, lines 24-28).

As to claims 24 and 35, Kennedy describes the decompression and transfer of image data from the buffer memory elements to the storage memory, and from the storage memory to a display memory, is controlled by the processor such that the image information present in the storage memory is transferred to the display at the end of the decompression of the contents of each buffer element (refer for example to column 4, lines 25-35).

With regard to claims 25 and 36, Kennedy describes the decompression and transfer of a group of images in a single file from the buffer memory to the storage memory, and from the storage memory to a display memory, is controlled by the processor means such that the image information is transferred from the storage memory to the display memory at the end of the decompression of each image in the image file (refer for example to column 4, lines 50-59).

As to claim 28, describes wherein the image data in the display memory is displayed in a layer normally used by the processor to display broadcast information (refer to column 13, lines 22-54).

In regard to claim 29, describes wherein the digital image data is copied from the storage memory to a second display memory of the memory for subsequent display in a second layer of displayed image data (refer to column 13, lines 51-54).

Art Unit: 2621

With regard to claim 30, describes wherein the digital image data copied from the storage memory to the second display memory is modified or duplicated during the copying (see figure 6, elements 614 and 616 and refer for example to column 13, lines 9-20).

With regard to claim 31, Kennedy describes in which partial image data is copied from the storage memory to a display memory to display memory so as to permit display of part of an image (refer for example to column 13, lines 4-8).

As to claim 32, Kennedy describes image data is copied from the storage memory into a first or second display memory under control of a high level application running on the processor (refer for example to column 6, lines 36-48 and column 14, lines 24-28).

4. Applicant's arguments filed October 9, 2003 have been fully considered but they are not persuasive.

The examiner has thoroughly reviewed applicant's arguments on pages but firmly believes the cited reference to reasonably and properly meet the claimed limitations.

Applicant's arguments bridging pages 11-12, seem to be directed towards an aspect of the invention not specifically claimed. Applicant is reminded of 37 CFR §1.111(b) which specifically states:

A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them

Art Unit: 2621

from the reference does not comply with the requirements of this section.

Applicant argues on page 12, lines 12-16 that "Kennedy fails to disclose a processor that both decompresses and displays compressed still picture data as required by independent claims 1 and 6", the examiner respectfully disagrees. Kennedy's processor image data, as discussed for example in column 4, lines 5-7. Kennedy also provides for displaying compressed still picture data as described in column 4, lines 8-15.

Applicant argues on page 12, line 17 through page 13, line 3 that "Kennedy fails to disclose a storage memory for indefinitely storing the received compressed data as required by amended independent claims 1 and 16", the examiner respectfully disagrees. This newly amended limitation is provided for in the Kennedy system. Element 112 in figure 1 which is a mass storage device provides for indefinitely storing the received compressed data as described for example in column 4, lines 5-15 (which suggest that compressed video in massive storage device 112 is decompressed by the video system 100) and column 4, lines 28-31 (which clearly states that the video software program reads compressed video buffer data from mass storage device 112).

5. Claims 4-5 and 20 are allowed.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2621

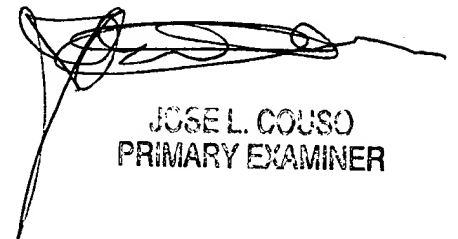
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jose L. Couso whose telephone number is (703) 305-4774. The examiner can normally be reached on Monday through Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached on (703) 305-4706. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8576.

Jlc
November 11, 2003



JOSE L. COUSO
PRIMARY EXAMINER